

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

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FRANCIS JOHNSON,

Plaintiff,

v.

STATE OF NEVADA, et al.

Defendants.

Case No. 2:14-cv-01425-GMN-PAL

**ORDER RESCHEDULING A  
SETTLEMENT CONFERENCE**

Before the court is Defendants' Motion to Vacate and Reschedule Settlement Conference Setting (ECF No. 70). For good cause shown, IT IS ORDERED that the Motion to Vacate and Reschedule Settlement Conference (ECF No. 70) is GRANTED and the settlement conference is hereby rescheduled to commence at **9:00 a.m., October 21, 2016**, in the Third Floor Video Conference Room, Room 3054, of the undersigned United States Magistrate Judge, Room 3071, Lloyd D. George United States Courthouse, 333 Las Vegas Boulevard South, Las Vegas, Nevada.

The Plaintiff **Francis Johnson** will appear and participate in the settlement conference through video conferencing. The Attorney General's Office will make the necessary arrangements for Plaintiff to appear by video conference and will provide **Jeff Miller**, Courtroom Administrator, with the video conference reservation number and the telephone number at which the plaintiff can be reached (via email at Jeff\_Miller@nvd.uscourts.gov) at least two days prior to the settlement conference.

All counsel of record who will be participating in the trial and who have full authority to settle this case, all parties appearing *pro se*, if any, and **all individual parties must be present.** In the case of non-individual parties, counsel of record shall arrange for an officer or

1 representative with binding authority to settle this matter up to the full amount of the claim or  
 2 last demand made to be present for the duration of the conference.

3 If any party is subject to coverage by an insurance carrier, then a representative of the  
 4 insurance carrier with authority to settle this matter up to the full amount of the claim or last  
 5 demand made must also be present for the duration of the settlement conference.

6 A request for an exception to the above attendance requirements must be filed and served  
 7 at least one week prior to the settlement conference. Counsel of record, individual parties, and a  
 8 fully authorized representative shall appear in person unless the court enters an order granting a  
 9 request for exception.

### 10 **PREPARATION FOR SETTLEMENT CONFERENCE**

11 In preparation for the settlement conference, the attorneys for each party shall submit a  
 12 confidential settlement conference statement for the Court's in camera review. The settlement  
 13 conference statement shall contain the following:

- 14 1. A brief statement of the nature of the action;
- 15 2. A concise summary of the evidence that supports your theory of the case, including  
 16 information which documents your damages claim(s). Please attach to your statement  
 17 any documents or exhibits which are relevant to key factual or legal issues, including  
 18 selected pages from deposition transcripts or responses to other discovery requests.
- 19 3. An analysis of the key issues involved in the litigation.
- 20 4. A discussion of the strongest points in your case, both legal and factual, and a frank  
 21 discussion of the weakest points as well. The Court expects you to present a candid  
 22 evaluation of the merits of your case.
- 23 5. A further discussion of the strongest and the weakest points in your opponent's case,  
 24 but only to the extent that they are more than simply the converse of the weakest and  
 25 the strongest points of your case.
- 26 6. The history of settlement discussion(s), if any, which details the demands and offers  
 27 which have been made, and the reasons they have been rejected.
- 28 7. The settlement proposal that you believe would be fair.

1 8. The settlement proposal that you would honestly be willing to make in order to  
2 conclude this matter and stop the expense of litigation.

3 The settlement conference statements shall be received in my Chambers, Room 3071, no  
4 later than **4:00 p.m., October 14, 2016. DO NOT SERVE A COPY ON OPPOSING**  
5 **COUNSEL. DO NOT DELIVER OR MAIL COPIES TO THE CLERK'S OFFICE.**

6 The purpose of the statement is to assist the undersigned Magistrate Judge in preparing  
7 for and conducting the settlement conference. In order to facilitate a meaningful conference,  
8 your utmost candor in responding to all of the above-listed questions is required. **The**  
9 **settlement statement will be seen by no one except the undersigned.** If this case does not  
10 settle, the settlement conference statement will not be disclosed to the judge who ultimately  
11 presides over the trial. Each statement will be securely maintained in my chambers, and will be  
12 destroyed following the conference.

13 Dated this 13th day of July, 2016.

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16 PEGGY A. LEEN  
UNITED STATES MAGISTRATE JUDGE  
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